

MINUTES
BOARD OF SELECTMEN
MONDAY, APRIL 30, 2007
SELECTMEN'S MEETING ROOM
TOWN HALL
7:00 PM

I. CALL TO ORDER

A regular meeting of the Board was called to order in open session at 7:00 PM in the Selectmen's Meeting Room at Town Hall. All members were present. Town Administrator Tom Younger and Assistant Town Administrator Jeff Conti were also present.

II. QUESTIONS FROM TOWN RESIDENTS

There were no questions.

III. ACTION BY APPOINTMENT

Water Capital Improvement Program Presentation by Weston & Sampson

Public Works Director Peter Castanino, Water Superintendent Gerard Schultz, Assistant Water Superintendent Mike Bishop, and members of the Water Advisory Board appeared before the Board along with consultants from Weston & Sampson Engineers.

Mr. Castanino explained that this is a long term capital improvement plan. The Water Advisory Board supports the plan.

The consultant from Weston & Sampson gave the following slide presentation:

The Town's water pipes were last inventoried and studied in 1995. Most of the Town's water mains are unlined cast iron which corrodes inwardly - a cement lining can prevent this from happening. At that time, all the unlined pipe was proposed to be replaced over 30 years at a total cost of \$15 million, or about \$750,000 per year. That program is now in its 11th year. There are 88 miles of water pipeline in Belmont, 30 miles of which are still unlined today.

The recent study was to see how much progress has been made and whether the 30-year timeline still holds. It will cost about \$27 million to complete the project because of inflation in materials costs. The Town reduced its annual expenditure on the project by \$100,000 in 2000. As a result, half as much pipe is being replaced annually compared to 1995. Assuming 3% inflation, at the current spending rate it will take 85 to 100 years to replace all the remaining unlined pipe. To get back on the original time schedule, it will require \$1.15 million per year for the next 20 years.

Weston & Sampson was also asked to create a 20-year financial plan that would also keep water rates relatively stable. It is difficult to estimate what rates will be because of variable consumption and MWRA assessment changes. In 2001 and 2002, the Town had to institute large rate hikes because it had not done any rate hikes in a number of years.

There is an MWRA program to assist with the replacement of unlined pipeline. The Town is eligible for a \$3.5 million, zero-interest loan. A 20-year bond issue will also help to finance this - currently the Town has no debt for its water capital plans. The plan will also involve use of the water reserve fund to help mitigate rate increases.

The recommendation is to increase the program to \$1.15 million annually, bond for that money, coordinate replacements with the pavement management program, and use the water reserve

fund to fund stable water rate increases of 5% per year for the next 5 to 7 years, and rate of inflation increases after that.

It was clarified that at current staffing levels and with seasonal limitations, the maximum the Town could realistically spend on pipe replacement in a year is about \$1.3 million. To do more would probably require hiring a second crew.

Mr. Castanino said the pipe replacement, by removing corrosion, can improve water quality and improve delivery volume during a fire situation. Once the program is complete, it will be time to replace the oldest lined pipes, but the cost of that program will be half of the current program.

It was clarified that approval of this plan will mean an adjustment to the FY08 water budget to reflect the changes.

The Board moved to support the recommendation to go forward with the 20-year water main capital improvement plan.

Motion carried unanimously (3-0).

IV. ACTION BY WRITING

A. Accept Gas and Oil Bids

This is a cooperative bid with several other towns. The Town should be able to decrease the FY08 budget for utilities due to lower oil prices from this bid.

The Board moved: To award the bids to the low bidders.

Motion carried unanimously (3-0).

V. ACTION BY APPOINTMENT

Alcohol Licensing Regulations

Andy Levin, Chair of the Alcoholic Beverages Committee presented recommended regulations for retail alcohol sales. Mr. Levin said the Committee looked at what other towns do in this area and found that the state regulations are fairly comprehensive and leave little that the Town needs to clarify.

There are three major points recommended by the committee. First, the initial filing fees should match the fees for restaurant licenses. A slightly lower annual fee (\$1500 for beer and wine, \$2000 for all-alcohol) was recommended in line with what other communities charge.

Second, there should be a 30-45 day initial filing period for applicants so the Board can pick the best partner for the Town, rather than a first-past-the-post approach.

Third, Sunday hours should be allowed from 12 noon to 6 PM.

The recommendations also include a ban on lottery and tobacco sales.

Chairman Firenze said he would support a higher annual licensing fee of \$2500 for beer and wine and \$4000 for all alcohol. This would match the restaurants and cover the Town's costs associated with inspections and enforcement. There was agreement.

The Board agreed to support a 45-day initial filing period for applicants. This would allow a little time for new business owners to locate sites which they will have to have leased when they file

their applications. The Board also agreed to support the recommendation for Sunday hours as proposed.

The Board moved: To accept the recommendations with the amended fee schedule, a 45 day filing period, and Sunday hours from noon to 6 PM.

Motion carried unanimously (3-0).

Selectman Leclerc felt the Board should state guidelines warning what type of businesses we are looking for in order to provide a foundation for making a choice among competitive applicants. There was discussion.

There was discussion of adding a limitation on sales of alcohol in very large (keg) or small (nip) sizes.

Mr. Levin added that the Committee has a license hearing this week for the restaurant applicant at the former Central Fire Station and expects to be back before the Board soon on that matter.

Discuss Schedule of Selectmen Meetings and Office Hours

The Board discussed its proposed meeting schedule and adjusted some dates in September and October.

Chairman Firenze proposed to hold Selectmen's office hours monthly instead of weekly, due to low turnout. There was agreement.

Town Meeting Issues

The Board discussed the use of free cash in the FY08 operating budget. There is a \$300,000 difference between the levels recommended by Board members and there was discussion of what that money would be spent on.

Chairman Firenze raised the question of the authorship of the budget. Is the Board of Selectmen or the Warrant Committee in charge of developing and presenting the budget to Town Meeting? Chairman Firenze reviewed the relevant state statutes and the Town's by-laws and his discussion with Town Moderator Henry Hall and Town Counsel. The answer to this question would be relevant if there is a disagreement and one party's budget comes before Town Meeting while the other party must ask for an amendment to the budget by Town Meeting. Chairman Firenze said the lack of consensus on this legal question strongly argues that it would be better for everybody if the Board and Warrant Committee can come to agreement on the budget.

Chairman Firenze said the suggestion has been made at meetings of the Warrant Committee of funding the operating budget at \$1.6 million in additional free cash, but also cutting \$500,000 from the budget and adding in \$500,000 in maintenance items. The Board agreed it does not support this.

Selectman Leclerc said this may be the last year in a while where the Town could possibly do a little better than level service. For this reason he supports spending the extra \$300,000. Selectman Solomon agreed.

Chairman Firenze said with the projected savings from the oil and gas contract, the Town could probably fund its share of the IT position and the school resource officer and stay within the \$1.6 million level.

Selectman Leclerc said based on his knowledge of education issues, he does feel a full-day kindergarten pilot study is worth giving the schools the extra money for. There was discussion.

Town Administrator's Report

Mr. Younger reported on the following items:

" Revere has a by-law that requires owners of buildings that are vacant for over a year to pay a fee to register them. The fee increases from \$500 to \$3,000 over three years if the building remains unoccupied. This provides incentive to find occupants for vacant buildings. There was discussion.

" The Planning Board would like to come before the Board in the fall to discuss an updated comprehensive zoning plan, which could cost \$150,000. The Board noted it has been over twenty years since the last revision and this is needed.

" Sign by-laws: Mr. Younger, Planning Director Jay Szklut and Community Development Director Glenn Clancy met on this issue and will be recommending some regulation changes that will not require by-law revisions. The changes will make the rules more consistent and easier to understand.

" Harvard Lawn Fire Station: The Assessors have been asked to re-assess the property now that it is zoned for 3 units.

" The Town has learned that the land on Lamoine Street cannot be sold at auction because it was not taken by tax title. The Selectmen's Office is still awaiting a value from the Assessors in order to move forward.

" Mr. Conti updated the Board on the status of the Woodfall Road land swap. The Town is awaiting a Land Court decision that will allow the land transfer agreement to be signed. The Board will then need to decide whether to dispose of the property through an RFP process or a bidding process. Chairman Firenze asked for a recommendation from the Assessors, a check on what other towns are doing with similar parcels, and advice from local brokers on the best way to dispose of the property. The Board agreed it wants to sell the property as soon as legally possible.

" The Capital Projects Overview Committee will have its first meeting next week.

" There was discussion of the process of bargaining with unions on health insurance. Chairman Firenze said the Town is trying to get input from the Insurance Advisory Committee about what changes they would recommend, though they may decline to respond.

" The VFW and the Belmont Media Center (BMC) have been having an ongoing dialogue and there is some hope that a resolution to the problem may be found. The possible solution might involve the Town granting a 10-year renewal of the lease to the VFW and this would require Town Meeting approval (for anything beyond five years.) The idea is that the BMC would lease the building and the VFW would use the projected income from the lease as collateral to get a loan to make the necessary repairs. The Town should know within a couple of weeks if this is going to go forward.

VI. ACTION BY WRITING

a. Permission to hold the 17th annual Belmont Town Day on Saturday, May 19th

The Board moved: To approve the request.

Motion carried unanimously (3-0).

b. Determination and Consent for Kopelman and Paige Representation regarding Petroleum Traders Corporation

The Board moved: To execute the determination to allow joint representation.

Motion carried unanimously (3-0).

VII. EXECUTIVE SESSION

The Board moved: To enter executive session to discuss potential litigation and not to return to open session.

Motion carried unanimously (3-0). The Board entered executive session at 10:06 PM.

(During executive session, one substantive motion was made and passed unanimously.)

The Board adjourned at 10:23 PM.

Thomas G. Younger
Town Administrator